

**Electronically Recorded**

Official Public Records

Tarrant County Texas

2008 Oct 29 11:36 AM

Fee: \$ 24.00

Submitter: SIMPLIFILE

**D208409406**

3 Pages



Suzanne Henderson

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

**AMENDMENT OF OIL AND GAS LEASES**

Reference is hereby made to (1) a Paid Up Oil and Gas Lease dated effective July 9, 2007, Memorandum Giving Notice of Oil and Gas Lease recorded as Instrument No. D207239806, Official Public Records, Tarrant County, Texas, from John Montgomery to Fleet Oil and Gas, Ltd.; (2) a Paid Up Oil and Gas Lease dated effective July 9, 2007, Memorandum Giving Notice of Oil and Gas Lease recorded as Instrument No. D207239805, Official Public Records, Tarrant County, Texas, from MIBOAL, LLC to Fleet Oil and Gas, Ltd.; (3) a Paid Up Oil and Gas Lease dated effective July 9, 2007, Memorandum Giving Notice of Oil and Gas Lease recorded as Instrument No. D207239808, Official Public Records, Tarrant County, Texas, from Ken W. Hackett to Fleet Oil and Gas, Ltd.; and (4) a Paid Up Oil and Gas Lease dated effective July 9, 2007, Memorandum Giving Notice of Oil and Gas Lease recorded as Instrument No. D207239807, Official Public Records, Tarrant County, Texas, from Marlex, LLC to Fleet Oil and Gas, Ltd. (the "Leases"). The Leases were later assigned to XTO Energy, Inc. ("XTO").

The oil, gas, and other minerals covered by the Leases are now owned 80% by Threemont, Ltd. ("Threemont") and 20% by Ken W. Hackett ("Hackett").

Threemont owns an 80% interest and Hackett owns a 20% interest in the minerals in Lot 1, Block 4 of the Garden Meadows South Addition, a subdivision of the City of Fort Worth, Tarrant County, Texas, according to a plat recorded at Cabinet A, Slide 7513, Plat Records, Tarrant County, Texas. Threemont owns all of the minerals in Lot 9, Block 6 and Lot 6, Block 3 of the Garden Meadows South Addition, a subdivision of the City of Fort Worth, Tarrant County, Texas, according to a plat recorded at Cabinet A, Slide 7513, Plat Records, Tarrant County, Texas. The above described three lots are collectively referred to as the "Land." XTO, Threemont, and Hackett wish to amend the Leases to include the Land.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which are acknowledged:

- A. Threemont and Hackett hereby grant and lease the Land to Fleet Oil and Gas, Ltd., XTO, and all other owners of the Leases as they appear of record, subject to and in accordance with the terms of the Leases, and in accordance

with each party's ownership of the Leases as they appear of record.

- B. Threemont and Hackett are each entitled to the royalty from their respective interests in the tracts covered by the Leases. The Leases, as amended, cover different tracts of land, and the ownership of the minerals under the various tracts is not uniform. The parties do not intend to create a community lease and the inclusion of tracts with differing ownership in the Leases shall not effect a pooling of the minerals and royalties under the tracts.

Except as herein amended, the Leases are and remain in full force and effect as originally written.

EXECUTED this 22 day of October, 2008, but dated effective July 9, 2007.

THREEMONT, LTD.

By: 2J Bar D, LLC, its general partner

By: 

John E. Montgomery,  
President

  
Ken W. Hackett

XTO ENERGY, INC.

By: 

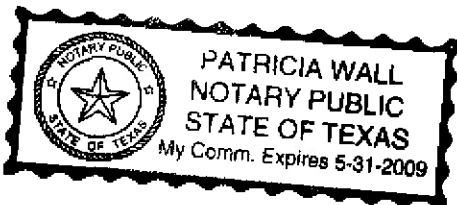
Name: Edwin S. Ryan, Jr.

Title: Sr. VP-Land Administration

THE STATE OF TEXAS §

COUNTY OF TARRANT §

This instrument was acknowledged before me on this 22nd <sup>October</sup> day of ~~November~~ 2008, by John E. Montgomery, President of 2J Bar D, LLC, a Texas limited liability company, General Partner of Threemont, Ltd., a Texas limited partnership, on behalf of the limited partnership.

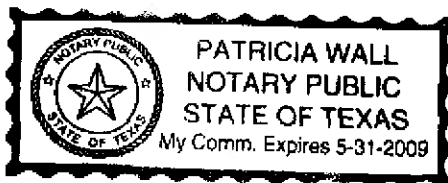


Patricia Wall  
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TARRANT §

This instrument was acknowledged before me on this 22nd day of October 2008, by Ken W. Hackett.



Patricia Wall  
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TARRANT §

This document was acknowledged before me on 22nd October, 2008, by

Edwin S. Ryan, Sr. VP-Land Administration of XTO Energy, Inc., a  
Delaware corporation, on behalf of the corporation.



Dorinda C. West  
Notary Public, State of Texas